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10/024,452	12/18/2001	Donald Rauscher	1240-PA03	6199
75	90 10/29/2002			
Gary L. Eastman, Esq. EASTMAN & ASSOCIATES Suite 306 520 W. Ash Street San Diego, CA 92101			EXAMINER	
			PATEL, TAJASH D	
			ART UNIT	PAPER NUMBER
3 ,			3765	
			DATE MAILED: 10/29/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exeminate of time may be available under the proteined of 3° CPR 1136(q), in no event, however, may a reply be timely filed **Emberded for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days, will be considered timely. **If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. **Final transport of the state of	100	Application No.	Applicant(s)					
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1) Responsive to communication(s) filed on 18 December 2001. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1 is/are rejected. 7) Claim(s) 1 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1 is/are objected to. 8) Claim(s) 1 is/are objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 11) The proposed drawing correction filed on place to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for alist of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received.	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period we Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	e6(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. O (35 U.S.C. § 133).					
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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Pitzen (US 5,832,879). Pitzen discloses a magnetic belt (4) including a belt body (20) having first and second ends (32,34), with the first end being formed into a loop, that received a buckle (8) with a tab therethrough as shown in figure 2. Further, the second end is formed with array of through holes for receiving the tab portion of the buckle when fastened as shown in figures 2 and 4. Additionally, the belt includes an array of magnetic elements (29) being positioned inside the belt between the first and second ends, col. 3, lines 24-41 and as shown in figure 4.

Conclusion

3 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tejash Patel whose telephone number is (703) 306-9184. The fax phone number for this group is (703) 305-3580.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert, can be reached on (703) 305-1025.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

Patel/tp

October 24, 2002

Tejash Patel Examiner AU 3765